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## Senatorial Discussion of Burton's Hawaii Amendment.

The Congressional Record gives in detail the discussion arising from the introduction of Senator Burton's amendment to the immigration bill allowing Chinese to enter Hawaii. The chief features of the discussion follow:

Mr. Burton—I ask that the amendment be read and that it be considered at this time.

The President pro tempore—The amendment will be stated.

The Secretary—Add at the end of section 3 the following additional proviso:

"And provided further, That nothing contained in this section shall be understood as applying to the Territory of Hawaii, but that whenever it can be shown to the satisfaction of the Secretary of Agriculture and of the Secretary of the Treasury that the number of agricultural laborers are insufficient for the proper agricultural development of the Territory, then the Secretary of the Treasury shall authorize and allow the admission to the said Territory of Hawaii a number of Chinese laborers sufficient in his judgment to supply the demands for such labor under regulations to be issued by him, and under the following conditions, to wit: That the said Chinese agricultural laborers shall be permitted to enter the Territory of Hawaii for the sole purpose of performing agricultural labor, and shall not be allowed to go from the said Territory of Hawaii to any other portion of the territory of the United States; that the persons or corporations in whose service said Chinese agricultural laborers are engaged shall first give a good and sufficient bond to the satisfaction of the Secretary of the Treasury to defray the necessary expenses of the said Chinese laborer's deportation to China in case he deserts the labor for which he was permitted to come to the said Territory."

Mr. Hoar—I think that should go over.

Mr. Mitchell—Mr. President, it seems to me that the proposition involved in the proposed amendment is one that ought not to be considered by the Senate until it has been referred to the appropriate committee and considered by that committee. I hope the honorable Senator from Kansas who offered the amendment will agree to that course.

Mr. Burton—Mr. President, I am not solicitous about the present consideration of this amendment, provided it can go over and be considered by the committee; but I want to raise this question on the pending bill. I brought it up at this time because the bill was about to be reported. If the chairman is willing that the bill shall go over so that the committee can consider this amendment and that Senators may have an opportunity to study it, I have no objection at all, but I do think that it is germane to this bill.

I will say that I am very much in favor of this proposed legislation. I did not want to bring up this question before the Senate until after our committee—I mean the committee that investigated conditions in Hawaii—had reported; but this is a matter that is easily understood, and I have decided, for myself, that it is the kind of legislation that ought to be enacted.

Hawaii today is in a state of industrial and economic depression, just the opposite exactly from conditions that prevail in this country, and well-nigh everybody there attributes it to the fact that they can not get Chinese labor. I think it will be admitted by anyone who has carefully studied the situation in Hawaii that the native Hawaiian will not perform agricultural labor. The white man will not perform it there. They have attempted the importation of negroes, and that is a failure. It must be performed by either Chinese or Japanese, and as between the two everybody prefers Chinese. I think I am safe in saying that that the merchants, the

planters, the tradespeople the manufacturers, and the skilled laborers as well as all in favor of this proposed legislation.

Mr. Bacon—Did the Senator make inquiry to know what was the desire of the native Hawaiians on the subject of the admission of Chinese.

Mr. Burton—Yes sir; they are in favor of it. I would not say all, for that would take in everybody, but certainly a very large majority of them are in favor of it.

Mr. Hoar—Does this amendment come by authority of the committee on Hawaii?

Mr. Burton—No, sir. The Senator refers to the committee on Pacific Islands and Porto Rico?

Mr. Hoar—The standing committee which includes Hawaii in its jurisdiction. Has that committee considered and recommended this amendment?

Mr. Burton—No, sir; it has not been considered by the committee. It has been considered very carefully by the sub-committee which was sent to Hawaii to investigate conditions there, and that committee has not reported. I may say, since the question has been asked, that probably the members of that committee would not agree about this matter. Hence I hesitated to raise the question at this time, but seeing that this bill was up and about to be put up its passage, as I thought the subject was germane, I brought it before the Senate for the Senate's consideration. There is much more.

Mr. Bacon—I do not desire to unduly interrupt the Senator. Of course I recognize the fact that the Senator had an opportunity to ascertain the wishes of the native population, and his opportunity was very much greater than mine. Mine was extremely limited, but in the limited opportunity which I had the information which came to me was that the native people did not desire the Chinese to be brought in, whatever may be said as to other classes of the population of those islands.

Mr. Burton—Well, I think, Mr. President, I risk nothing in saying that a very large majority of the natives, and especially the more intelligent natives, are in favor of restricted Chinese immigration to that Territory. This amendment, as Senators will observe, I think, has been drawn with very great care. It provides for the deportation of a Chinaman as soon as he leaves the plantation or as soon as he quits agricultural labor.

Mr. Perkins—I should like very much to ask the Senator from Kansas a question.

Mr. Burton—Certainly.

Mr. Perkins—Is it not a fact that those who advocate the admission of Chinese into the Hawaiian Islands do so for the reason that their labor is very much cheaper than that of any other contract labor that it is possible for them to obtain?

Mr. Burton—Yes, sir.

Mr. Perkins—In other words, the planters are now making from 15 to 30 per cent on their sugar plantations in the Hawaiian Islands, while the Kansas farmer makes 6 per cent and the California farmer the same. If they can get Chinese labor they can double their income. That is the whole kernel in the nut. The whole question is one of cheap labor.

Mr. Burton—The Senator asked me a question?

Mr. Perkins—That is all.

Mr. Burton—I will state to the Senator that every plantation in Hawaii I heard of, except one, has passed its dividends within the last two years instead of making the profits the Senator speaks of. The Senator is mistaken when he says that the owners of the plantations there are making money. They are not making money. They can not make money at the present price of sugar and the present price of labor. It is the Japanese who have raised the price of labor higher than the traffic will bear, and

they are not as good citizens as the Chinamen. That is the universal testimony so far as I could get it, of all persons in Hawaii.

Mr. Tillman—I believe we now admit the Japanese without restriction, the same as we admit Frenchmen?

Mr. Burton—Yes, sir.

Mr. Tillman—And we do not admit Chinamen?

Mr. Burton—No, sir.

Mr. Tillman—Yet the Senator says that it is the universal testimony that the Chinese make better citizens than the Japanese. Now, there is a contradiction out here somewhere, or else we have been legislating in the dark, and I should like the Senator to explain that.

Mr. Burton—Well, I am speaking about the kind of Japanese who go to Hawaii and the kind of Chinamen who go to Hawaii, as they tell me. I do not think I talked to a single employer of labor who did not speak about the fact that the Chinese are preferable.

Mr. Hoar—Who is to deport the Chinese laborer who does not do his work, according to this amendment?

Mr. Burton—The employer must give a bond, and the Senator will observe that it is placed in the discretion or under the control of the Secretary of Agriculture and the Secretary of the Treasury. I do not know that that is the best way to do it.

Mr. Hoar—Then if a man—you call a person a man under these circumstances—does not do his work to the satisfaction of his employer, somebody is to be given the power to take him and deport him. Who has that power?

Mr. Burton—I do not think that the Senator from Massachusetts, if he will pardon me, states the matter just as it is.

Mr. Hoar—Let me read the amendment. It is as follows:

Mr. Burton—Very well.

Mr. Hoar (reading)—"That the persons or corporations in whose service said Chinese agricultural laborers are engaged shall first give a good and sufficient bond, to the satisfaction of the Secretary of the Treasury, to defray the necessary expenses of the said Chinese laborer's deportation to China in case he deserts the labor for which he was permitted to come to the said Territory." Now, my question is, Who is to deport him?

Mr. Burton—The employer gives a bond to the Secretary of the Treasury, and I suppose that the Secretary of the Treasury would, through his officers, deport him.

Mr. Hoar—Where is the authority to deport by law a man who is lawfully there because he does not do his work?

Mr. Burton—Well, the Senator will observe that it is to be done when he does not do a particular kind of work.

Mr. Hoar—Exactly; when he does not do a particular kind of work.

Mr. Burton—This amendment would permit Chinese immigration for agricultural purposes only. It would not allow them to go into the mills or perform any kind of skilled labor. If the Chinaman should leave the plantation, or the rice field, or should leave agricultural work, then he would be subject to deportation.

Mr. Hoar—Who is going to deport them? I want to understand about this taking a man by the nape of the neck, on what is now American soil, and carrying him out if he does, not do his work to the satisfaction of his employer. It is an example which, I suppose, the Senator from Kansas thinks a good one; but I want to understand all the bearings and relations of it, if I can.

Mr. Burton—Just how the Secretary of the Treasury would proceed, or what machinery would be brought into play to send the Chinaman back, I have not fully considered.

Mr. Foraker—The Senator from Massachusetts makes an inquiry upon that point as though deportation was something new.

Mr. Burton—I was just about to say that.

Mr. Foraker—We have been deporting Chinamen for a good many years when they were under circumstances that warranted it. It is done, I believe, by the Treasury

Department, acting through officials charged with that duty in proper cases.

Mr. Hoar—Yes; they are deported. I do not comment upon that law now one way or the other; but, at any rate, they are deported as persons who have no right to be here and had no right to come here, and that is a well-settled system on which we agreed. Now, when a man has lawfully come within our borders under a contract and is lawfully at work under his contract, it is said if he does not work he may be deported. It may be that the reason he does not work is because he is cruelly treated; it may be because he claims the employer has not kept his contract; it may be because he is sick and can not work; but whatever may be the reason, somebody, not a judge, and, so far as I am aware, not the Secretary of the Treasury in person, for he is 5000 miles away, is to take that man by a summary process and carry him back to China. I have not suggested to anybody whether that is right or wrong, but I think the Senate should know the machine.

Mr. Foraker—Will the Senator from Kansas yield to me for a moment?

Mr. Burton—With pleasure.

Mr. Foraker—Mr. President, I have never seen this amendment until just at this moment, when it has been put into my hands. I never heard it read until it was read at the desk a few moments ago; therefore the phraseology of it may be such, when I come to examine it, that possibly I should want to change it. My interest in this amendment is due to the fact that I happen to be the chairman of the Committee on Pacific Islands and Porto Rico. The Senate, by resolution adopted just before the vacation, authorized a sub-committee of that committee to visit the Hawaiian Islands and there make investigation and then make report to us as to the results of their investigation of a number of subjects. That sub-committee has returned. They were in the islands some weeks. I understand they investigated many subjects, and that they are preparing an elaborate report of their investigations.

I am told that they found the industrial condition of the islands very much depressed; that instead of sugar plantations, as stated by the Senator from California, they are operating at a loss. I do not know what the fact may be, but that is what the members of the subcommittee have informally reported to me; that the trouble is not that they can not get cheap labor but rather that they can not get enough labor. The natives are not satisfactory laborers, on the plantations at least, and many of them will not labor at all. The only satisfactory labor they have been able to get is the Chinese labor. They want to be saved from the consequences of this ruinous depression, and in that behalf, they want us to legislate as to allow, in a restricted and safe way, some Chinese labor. I say restricted and safe, having in view our legislation on the general subject of bringing into that island Chinese laborers.

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